

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 24, 2003**

Court reconvened at 10:00 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Moore, J. M. Urena, Deputy Clerk attending.

CIVIL	PEOPLE OF THE STATE OF CALIFORNIA
No.	ex rel. JOE KERR
G031750	v.
	COUNTY OF ORANGE

Merits. Cause called. Nicole A. Sims argues for appellant. Intervenor Phillip B. Greer argues for appellant. Michael N. Feuer argues for respondents. Respondents' motion to strike will be ruled on in conjunction with the decision on appeal. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 24, 2003 (Cont'd)**

CIVIL No. G029402	KATHRYN WHITE v. BALIS, LEWITTES & COLEMAN et al.	Not for publication
	Opinion filed. Order affirmed.	
	We concur: Moore, J. Fybel, J.	O'Leary, Acting P.J.
 CIVIL No. G030100	 KATHRYN WHITE v. MARK DORIAN et al.	 Not for publication
	Opinion filed. Order affirmed.	
	We concur: Moore, J. Fybel, J.	O'Leary, Acting P.J.
 CIVIL No. G031449	 ORANGE COUNTY SOCIAL SERVICES AGENCY v. MOISES I.; TAMARA S.	 Certified for publication
	Opinion filed. Order affirmed.	
	We concur: Rylaarsdam, Acting P.J. Bedsworth, J.	Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 25, 2003**

CIVIL No. G028837	MOUSSA DALLA et al. v. RASHIDA A. JAFFER	Not for publication
	Opinion filed. Judgment is reversed and remanded.	
	We Concur: Bedsworth, J. Fybel, J.	Rylaarsdam, Acting P.J.
CRIM No. G029534	THE PEOPLE v. HARRY RAND, JR.	Not for publication
	Opinion filed. Judgment is affirmed.	
	Before Sills, P.J., Rylaarsdam, J., and O’Leary, J.	By the court
CIVIL No. G029577	JAMES JOSEPH TRAVERS, JR., et al., v. BEAR BRAND RANCH COMMUNITY ASSOCIATION	Not for publication
	Opinion filed. Judgment is reversed.	
	We Concur: Sills, P.J. Fybel, J.	Bedsworth, J.
CIVIL No. G029810	UNITED FOOD AND COMMERICAL WORKERS UNION, LOCAL NO. 324 et al. v. ALBERTSON’S, INC.	Not for publication
	Opinion filed. Judgment is affirmed.	
	We Concur: Bedsworth, Acting P.J. O’Leary, J.	Aronson, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 25, 2003 (Cont'd)**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G030461	B.T.L.	

Opinion filed. Judgment is affirmed.

By the Court

Before Sills, P.J., Rylaarsdam, J., and O'Leary, J.

CIVIL	RICHARD CAZEL	Not for publication
No.	v.	
G030591	R.E. COULTER CRANE RENTAL, INC.	

Opinion filed. Judgment is affirmed.

By the Court

Before Rylaarsdam, Acting P.J., Aronson, J., and Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 26, 2003**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G028343	MICHAEL FRANCIS MORRIS	

Opinion filed. Judgment dismissed.

By the Court

Before Rylaarsdam, Acting P.J., O’Leary, J., and Fybel, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G031363	DALE SIGNE AVANCE	

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: O’Leary, J.
Aronson, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 27, 2003**

CRIM No. G027793	THE PEOPLE v. JOSE MANUEL BERNAL	Not for publication
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Opinion filed. Judgment affirmed.

O’Leary, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL No. G028467	SOUTH PACIFIC IMPORT, INC., et al. v. GILLIAN CHI-LIANG HO et al.	Not for publication
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Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

CRIM No. G028681	THE PEOPLE v. JUAN CISNEROS GUZMAN	Not for publication
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Opinion filed. Judgment affirmed.

Aronson, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

CRIM No. G028723	THE PEOPLE v. PHILLIP ANTHONY IVY	Not for publication
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Opinion filed. Judgment affirmed.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 27, 2003 (Cont'd)**

CIVIL JEFFREY S. GRAHAM
No. v.
G029329 KATHERINE L. GRAHAM

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated and the cause is resubmitted as of this date for the period allowed by law, because it involves complex issues requiring extensive research in preparation of the opinion.
Sills, P.J.

We concur: Bedsworth, J.
 Moore, J.

CIVIL PUTTING COURSES OF AMERICA, INC. Not for publication
No. v.
G029554 THE SUPERIOR COURT OF ORANGE
 COUNTY;
 CROW WINTHROP DEVELOPMENT
 LIMITED PARTNERSHIP et al.

Opinion filed. Petition granted.

Sills, P.J.

We concur: O'Leary, J.
 Moore, J.

CIVIL SOUTH PACIFIC IMPORT, INC. et al. Not for publication
No. v.
G029740 GILLIAN CHI-LIANG HO et al.

Opinion filed. Order affirmed in part and reversed in part.

Rylaarsdam, J.

We concur: Sills, P.J.
 Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 27, 2003 (Cont'd)**

CIVIL STEPHEN YUN etc.
No. v.
G030016 uBID, INC.

Order filed. Pursuant to California Rules of Court, rule 23(e)(1), submission of the above matter is hereby vacated and the cause resubmitted as of this date for the time allowed by law.

Bedsworth, Acting P.J.

We concur: O'Leary, J.
 Aronson, J.

CIVIL GARY DAPELO et al.
No. v.
G030354 NANCY CEDERWALL

Not for publication

Opinion filed. Judgment reversed and remanded with directions.

Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.
 O'Leary, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 28, 2003**

CIVIL	JEFFREY J. KATKE et al.	Not for publication
No.	v.	
G027304	SEARS MORTGAGE et al.	

G029054	JEFFREY J. KATKE et al.
	v.
	COLDWELL BANKER RESIDENTIAL REAL ESTATE et al.

Opinion filed. Both judgments affirmed in part and reversed in part.
Sills, P.J.

We concur: Aronson, J.
Fybel, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G028505	JOE DELORES MENDEZ	

Opinion filed. Judgment affirmed as modified.
Rylaarsdam, Acting P.J.

We concur: O’Leary, J.
Fybel, J.

CRIM	THE PEOPLE
No.	v.
G028623	MARK ALLAN PARR

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated and the cause resubmitted as of this date for the period allowed by law to allow additional time for the preparation of the court’s opinion.

Sills, P.J.

We concur: Moore, J.
Aronson, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 28, 2003 (Cont'd)**

CIVIL VICKI I. BARBER
No. v.
G028625 TRICOR FINANCIAL GROUP

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above entitled matter is hereby vacated and the cause resubmitted for 30 days, as of this date.

Rylaarsdam, Acting P.J.

We concur: O'Leary, J.
 Aronson, J.

CRIM THE PEOPLE
No. v.
G028811 MARSELINA AGUILAR

Not for publication

Opinion filed. Judgment reversed.

Aronson, J.

We concur: Rylaarsdam, Acting P.J.
 Fybel, J.

CRIM THE PEOPLE
No. v.
G029460 KENNETH EUGENE TEAGUE

Not for publication

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: O'Leary, J.
 Aronson, J.

CIVIL CHOUNG KAN VONG et al.
No. v.
G029480 WINCHELL'S DONUT HOUSES
 OPERATING COMPANY, L.P.

Not for publication

Opinion filed. Judgment affirmed.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
 Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
February 28, 2003 (Cont'd)**

CIVIL	KIM E. WHITE	Not for publication
No.	v.	
G030015	VERNON PETER MITCHELL	

Opinion filed. Order reversed and remanded.

Aronson, J.

We concur: Bedsworth, Acting P.J.
Fybel, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G030403	RAMIRO GARCIA PEREZ	

Opinion filed. Judgment affirmed.

By the Court

Before Sills, P.J., Rylaarsdam, J., and O'Leary, J.

CIVIL	JOHN GARAMENDI, as Insurance	Not for publication
No.	Commissioner, etc.	
G030481	v.	
	CFB, INC., et al.,	
	MICHAEL KWIATKOWSKI	

Opinion filed. Judgment affirmed.

By the Court

Before Bedsworth, Acting P.J., Aronson, J., and Fybel, J.

CIVIL	ORANGE COUNTY SOCIAL	Certified for publication
No.	SERVICES AGENCY	
G030632	v.	
	TIFFANY H.	

Opinion filed. Judgment reversed.

Sills, P.J.

We concur: Rylaarsdam, J.
O'Leary, J.